

**SUPREME COURT MINUTES  
WEDNESDAY, FEBRUARY 21, 2007  
SAN FRANCISCO, CALIFORNIA**

**S148712**      B188695 Second Appellate District, Div. 7      **BARSAMYAN (VARDUI ROSE)  
v. S.C. (PEOPLE)**

Petition for review granted      (criminal case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149248**      B193167 Second Appellate District, Div. 4      **M. (TONYA) v. S.C. (CHILDREN  
& FAMILY SERVICES)**

Petition for review granted      (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S126182**      F042592 Fifth Appellate District      **PEOPLE v. BLACK (KEVIN  
MICHAEL)**

Supplemental briefing ordered The parties are directed to serve and file simultaneous supplemental briefs addressing the effect of *Cunningham v. California* (2007) 549 U.S. \_\_\_, 127 S. Ct. 856 on any of the issues presented in this case. The court specifically requests that the supplemental briefs address the following issues:

(1) Is there any violation of the defendant's Sixth Amendment rights under *Cunningham* if the defendant is eligible for the upper term based upon a single aggravating factor that has been established by means that satisfy the governing Sixth Amendment authorities - in the present case, for example, by the defendant's prior convictions or by the jury's finding that the offense involved force or fear - even if the trial judge relies on other aggravating factors (not established by such means) in exercising his or her discretion to select among the three sentences for which the defendant is eligible?

(2) Does *Cunningham* affect this court's conclusion in *People v. Black* (2005) 35 Cal.4th 1238, 1261-1264, that *Blakely v. Washington* (2004) 542 U.S.296 does not apply to the imposition of consecutive sentences under Penal Code section 669?

Supplemental briefs must be served and filed in the San Francisco office of this court no later than March 14, 2007, and simultaneous reply briefs may be served and filed in the San Francisco office of this court no later than March 23, 2007. Because it is important for the administration of justice that the trial courts of California be provided timely guidance, the court notes that its action in this case is not intended to dissuade the Legislature from promptly revising the existing California sentencing statutes in light of the United States Supreme Court's decision in *Cunningham*.

**S148687** C044770 Third Appellate District**PEOPLE v. TACKETT  
(STEVEN MICHAEL)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S148731** B186443 Second Appellate District, Div. 2**PEOPLE v. WASHINGTON  
(REGGIE)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S148878** B186270 Second Appellate District, Div. 6**PEOPLE v. CELIS  
(RAYMUNDO SANCHEZ)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S148990** B188042 Second Appellate District, Div. 7**PEOPLE v. LINCOLN (ANDREW)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Appellant's petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Respondent's petition for review denied.

Chin and Corrigan, JJ., would also grant respondent's petition for review.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149014** C048486 Third Appellate District**PEOPLE v. CRESPO (ALBERT ANGELO)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149221** C049648 Third Appellate District**PEOPLE v. CLARKE (LEE KELLY)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149224** B190225 Second Appellate District, Div. 4**PEOPLE v. RODRIGUEZ (JOSE LUIS)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149272** F049761 Fifth Appellate District**PEOPLE v. MITRE (GABRIEL)**

Review granted/briefing deferred (8.512(d)(2) criminal case)

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149418**      B182757 Second Appellate District, Div. 6      **PEOPLE v. TINAJERO**  
**(OSVALDO)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149429**      E038725 Fourth Appellate District, Div. 2      **PEOPLE v. CAMACHO**  
**(ARCIGA RAMON)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149476**      A115501 First Appellate District, Div. 3      **OAKLAND, CITY OF v. W.C.A.B.**  
**(HO)**

Review granted/briefing deferred (8.512(d)(2) civil case)

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Brodie v. W.C.A.B.*, S146979 and *Welcher v. W.C.A.B.*, S147030 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149522**      D047885 Fourth Appellate District, Div. 1      **PEOPLE v. THEPSOMBANDITH**  
**(VAN JUAN)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149524** F049414 Fifth Appellate District**PEOPLE v. GONZALEZ  
(MELQUIADEZ)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149570** B187468 Second Appellate District, Div. 2 **PEOPLE v. NAVARRO (EDDIE)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S149574** C050399 Third Appellate District**PEOPLE v. DOMINGUEZ  
(SERGIO)**

Review granted/briefing deferred (8.512(d)(2) criminal case).

Petition for review granted. Further action in this matter is deferred pending further order of the court. (See Cal. Rules of Court, rule 8.512(d)(2).) Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S148865** D049852 Fourth Appellate District, Div. 1**SMITH (BRYAN D.) v. S.C.  
(PEOPLE)**

Review granted; transferred to CA 4/1 to issue OSC

Petition for review granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

Votes: George, C. J., Kennard, Werdegarr, Chin, Moreno, and Corrigan, JJ.

**S148962** A106199 First Appellate District, Div. 4**CALIFORNIANS FOR  
DISABILITY RIGHTS v.  
MERVYN'S LLC**

Petition for review granted; transferred to CA 1/4

Request for judicial notice granted. Petition for review granted. The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *United Investors Life Insurance Co. v. Waddell & Reed, Inc.* (2005) 125 Cal.App.4th, 1300 and *Branick v. Downey Savings & Loan Assn.* (2006) 39 Cal.4th 235. (Cal. Rules of Court, rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149494** H029587 Sixth Appellate District**PEOPLE v. YARBROUGH  
(ANTHONY EUGENE)**

Petition for review granted; transferred to CA 6. The court having been advised that defendant Anthony Eugene Yarbrough has died, the petition for review filed on his behalf is granted and the cause is transferred to the Court of Appeal, Sixth Appellate District, with directions to enter an order in Case No. H029587 permanently abating all proceedings with respect to defendant Yarbrough upon verification of the death and to require the Superior Court for Santa Clara County to enter an order to that effect in Case No. EE303089. (Cal. Rules of Court, rule 8.528(d); *People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.) The petition for review filed on behalf of defendant Eric Riley is denied.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

**S149478****WELCH (EUGENE EVERETT)  
ON H.C.**

Petition ordered withdrawn pursuant to written request of petitioner the above-entitled petition for writ of habeas corpus is ordered withdrawn.

**S148155** C047755 Third Appellate District  
Petitions for review denied.**PEOPLE v. WILSON (TITUS)****S148404** B182372 Second Appellate District, Div. 7  
Petition for review denied.**PEOPLE v. LARRY (TIFFANY)****S148413** A115795 First Appellate District, Div. 4  
Petition for review denied.**SAVIGNANO (MARK) ON H.C.**

**S148431** C049499 Third Appellate District

Petition for review denied.

**PEOPLE v. LONG (STEPHEN ANTHONY)**

**S148464** C048798 Third Appellate District

Petition for review denied.

**PEOPLE v. XIONG (TONG)**

**S148529** A108586 First Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. LOVE (MARCEL)**

**S148549** C052528 Third Appellate District

Petition for review & depublication request denied.  
Kennard, J., is of the opinion the petition should be granted.

**TEMPLETON DEVELOPMENT CORPORATION v. S.C. (DICK EMARD ELECTRIC, INC.)**

**S148583** C050198 Third Appellate District

Petition for review denied.

**PEOPLE v. VASIN (PAVEL)**

**S148612** B194171 Second Appellate District, Div. 5

Petition for review denied.

**BROWN (MARLON) ON H.C.**

**S148613** C049649 Third Appellate District

Petitions for review denied.

**PEOPLE v. WESLEY (STEVEN ROBERT)**

**S148644** B175888 Second Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. CASTELLANOS (GEORGE MARIO)**

**S148645** B181286 Second Appellate District, Div. 1

Petition for review denied.

**CASTELLANOS (GEORGE MARIO) ON H.C.**

**S148664** B185702 Second Appellate District, Div. 8

Petition for review denied.

**PEOPLE v. TRUJILLO  
(CECILIA REYES)**

**S148688** F047476 Fifth Appellate District

Petition for review denied.

**PEOPLE v. FLORES (EDWARD)**

**S148695** F048799 Fifth Appellate District

Petition for review denied.

**PEOPLE v. MUTUMA (JOSHUA  
MARETTE)**

**S148697** B188224 B188735/Second Appellate District, Div. 8 **BURKLE (JANET E.) v. BURKLE**

Petition for review denied.

**(RONALD W.)**

**S148698** A115900 First Appellate District, Div. 4

Petition for review denied.

**SILLER (JAVERT L.) ON H.C.**

**S148715** F048061 Fifth Appellate District

Petition for review denied.

**PEOPLE v. GUTIERREZ  
(RODOLFO)**

**S148757** F048408 Fifth Appellate District

Petition for review denied.

**PEOPLE v. GARCIA (MIGUEL)**

**S148783** C050744 Third Appellate District

Petition for review denied.

**PEOPLE v. LEE, JR. (PATRICK  
GERALD)**

**S148808**

Petition for writ of review denied.

**STABENOW (TONY LEE) ON  
ADMISSION**



**S148825**      A115962 First Appellate District, Div. 3  
Petition for review denied.

**BIVINS (JOSEPH) ON H.C.**

**S148827**      B176929 Second Appellate District, Div. 6  
Petition for review denied.

**WRIGHT (A.J.) v. CITY OF  
MORRO BAY**

**S148848**      B186190 Second Appellate District, Div. 5  
Petition for review denied.

**PEOPLE v. GONZALES  
(BENJAMIN)**

**S148886**      H029896 Sixth Appellate District  
Petition for review denied.

**PICKERING (STEPHAN) v.  
PUHL (CHARLES)**

**S148923**      F048197 Fifth Appellate District  
Petition for review denied.

**PEOPLE v. QUIROZ (JOAQUIN  
R.)**

**S148943**      B191132 Second Appellate District, Div. 3  
Petition for review denied.

**ROSS (WESLEY BARRETT) v.  
KISH (THOMAS E.)**

**S148971**      B182990 Second Appellate District, Div. 7  
Petition for review denied.

**HOLBROOK (RICHARD) v.  
CITY OF SANTA MONICA**

**S148982**      B194955 Second Appellate District, Div. 4  
Petition for review denied.

**HARMON (L.C.) ON H.C.**

**S148987**      H029502 Sixth Appellate District  
Petition for review denied.

**PEOPLE v. PIMENTEL  
(RODRIGO FARIAS)**

**S148991**      B184186 Second Appellate District, Div. 7

Petition for review denied.

**PEOPLE v. MESA (OMAR DAVID)**

**S149031**      C049898 Third Appellate District

Petition for review denied.

**PEOPLE v. ROGERS (WALLACE)**

**S149041**      A112331 First Appellate District, Div. 2

Petition for review & depublication request denied.

**PARRA (HENRY) v. CITY AND COUNTY OF SAN FRANCISCO**

**S149090**      D047758 Fourth Appellate District, Div. 1

Petition for review denied.

**KELMAN (BRUCE J.) v. KRAMER (SHARON)**

**S149154**      B195109 Second Appellate District, Div. 5

Petition for review denied.

**ARBUS (LOREEN) v. S.C. (FREEDMAN)**

**S149169**      B195574 Second Appellate District, Div. 5

Petition for review denied. Petitioner's motion for judicial notice is granted.

**WALLACE (ANGELA) v. S.C. (PEOPLE)**

**S149193**      D048305 Fourth Appellate District, Div. 1

Petition for review denied.

**B. (RICHARD), IN RE**

**S149211**      B183297 Second Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. META (ALBAN)**

**S149230**      H030895 Sixth Appellate District

Petition for review denied.

**MURILLO (VICTOR MANUEL) ON H.C.**

**S149337** H028537/H028765 Sixth Appellate District

Petition for review denied. Request for judicial notice denied.

**THOMPSON (JAMES MCNAIR)  
v. LEGAL AID SOCIETY OF  
SANTA CLARA COUNTY**

**S149365** F049320 Fifth Appellate District  
Petition for review denied.

**S. (JEFFREY), IN RE**

**S149370** D046480 Fourth Appellate District, Div. 1

Petition for review denied.

**CAJON VALLEY UNION  
SCHOOL DISTRICT v. MERAM  
(CARL)**

**S149372** C054372 Third Appellate District

Petition for review denied.

**WILLIAMS (JEFFREY) ON  
H.C.**

**S149383** B189941 Second Appellate District, Div. 8

Petition for review denied.

**HODGE (KENNETH) v. S.C.  
(AON INSURANCE SERVICES)**

**S149386** D047702 Fourth Appellate District, Div. 1

Petition for review & depublication request denied.

**PAULSON (PHILIP K.) v.  
ABDELNOUS (CHARLES)  
(SAN DIEGANS FOR THE MT.  
SOLEDAD NATIONAL WAR  
MEMORIAL)**

**S149400** C049739 Third Appellate District

Petitions for review denied.

**PEOPLE v. DUNCAN (KERRY  
LEWIS)**

**S149412** E039146 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. SALAZAR (JOEY PHILLIP)**

**S149445** E038862 Fourth Appellate District, Div. 2

Petitions for review denied.

**PEOPLE v. HERNANDEZ (ARMANDO VILLA)**

**S149446** F049341 Fifth Appellate District

Petition for review denied.

**PEOPLE v. RICHARDS (STEVEN LOUIS)**

**S149447** H029201 Sixth Appellate District

Petition for review denied.

**PEOPLE v. JAGASSAR (RAMESH RAMDATH)**

**S149448** F049588 Fifth Appellate District

Petition for review denied.

**PEOPLE v. BLANKENSHIP (WILLIAM HAROLD)**

**S149471** F049339 Fifth Appellate District

Petition for review denied.

**PEOPLE v. HALL (HERSHEL GENE)**

**S149474** B187465 Second Appellate District, Div. 1

Petition for review denied.

**PEOPLE v. JONES (EDWARD ELLICK)**

**S149485** E039048 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. WILLIAMS (JOSHUA ALLEN)**

**S149487**      D047266 Fourth Appellate District, Div. 1

Petitions for review denied.

**PEOPLE v. CONTRERAS  
(RAMON IVAN)**

**S149491**      A111127 First Appellate District, Div. 5

Petition for review denied.

**EPIS (BARBARA G.) v. VAI  
(VANCAMP)**

**S149498**      G035832 Fourth Appellate District, Div. 3

Petition for review denied.

**HOOSE (CLINTON M.) v.  
BEAUCHAMP (ROBERT B. )**

**S149510**      G035487 Fourth Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. VILLASENOR  
(MICHAEL LAWRENCE)**

**S149511**      B187910 Second Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. SOWASH  
(CONRAD W.)**

**S149517**      B186620 Second Appellate District, Div. 7

Petition for review denied.

**PEOPLE v. WILLIAMS  
(MAURICE)**

**S149520**      H029611 Sixth Appellate District

Petition for review denied.

**PEOPLE v. KNUTSON  
(RONALD)**

**S149525**      A112714 First Appellate District, Div. 5

Petition for review denied.

**W. (A.), IN RE**

**S149526** H029619 Sixth Appellate District

Petition for review denied.

**PEOPLE v. STREETER (EDDIE J.)**

**S149530** F050681 Fifth Appellate District

Petition for review denied.

**R. (JESSICA), IN RE**

**S149531** A111524 First Appellate District, Div. 3

Petition for review denied.

**PEOPLE v. PRADO (JOSE)**

**S149538** E038223 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. FERNANDEZ (JOAQUIN L.)**

**S149540** B190592 Second Appellate District, Div. 5

Petition for review denied.

**N. (ANDREW), IN RE**

**S149541** B187332 Second Appellate District, Div. 6

Petition for review denied.

**PEOPLE v. TUCKER (MARK ALLEN)**

**S149542** E041181 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. BROWN (RONNIE O.)**

**S149545** A116201 First Appellate District, Div. 2

Petition for review denied.

**JACKSON (DWIGHT) v. S.C. (PEOPLE)**

**S149552** E038639 Fourth Appellate District, Div. 2

Petition for review denied.

**PEOPLE v. GIL (ALBERT)**

<b>S149553</b>	E041702 Fourth Appellate District, Div. 2	<b>BRIDGESTONE FIRESTONE NORTH AMERICAN TIRE v. S.C. (CASTRO)</b>
Petition for review denied.		
<b>S149558</b>	E039854 Fourth Appellate District, Div. 2	<b>C. (CHRISTOPHER), IN RE</b>
Petition for review denied.		
<b>S149568</b>	C050779 Third Appellate District	<b>PEOPLE v. JOHNSON (MICHAEL LEE)</b>
Petition for review denied.		
<b>S149571</b>	F049633 Fifth Appellate District	<b>PEOPLE v. NARANJO (VICTOR LUCIANO)</b>
Petition for review denied.		
<b>S149584</b>	D047296 Fourth Appellate District, Div. 1	<b>PEOPLE v. JOINER, JR. (WARDELL NELSON)</b>
Petition for review denied.		
<b>S149598</b>	B189022 Second Appellate District, Div. 2	<b>UTILITY AUDIT COMPANY, INC. v. CITY OF LOS ANGELES</b>
Petition for review denied.		
<b>S149604</b>	B195479 Second Appellate District, Div. 1	<b>PEOPLE v. MYRON (JAMES)</b>
Petition for review denied.		
<b>S149625</b>	B186186 Second Appellate District, Div. 7	<b>PEOPLE v. BARNES (EMON)</b>
Petition for review denied.		

**S149628** D045303 Fourth Appellate District, Div. 1

Petition for review denied.

**WHITTY (FRANK) v. FIRST  
NATIONWIDE MORTGAGE  
CORPORATION**

**S149638** B187178 Second Appellate District, Div. 5

Petition for review denied.

**PEOPLE v. WILLIAMS  
(GENARD)**

**S149700** H031054 Sixth Appellate District

Petition for review and application for stay denied.

**NADASDY (STEPHEN) v. S.C.  
(SALIBA)**

**S149749** B196132 Second Appellate District, Div. 1

Petition for review and application for stay denied.

**PEOPLE v. S.C. (AHAD)**

**S138410**

Petition for writ of habeas corpus denied.

**FRADIUE (MICHAEL MICKEY)  
ON H.C.**

**S141473**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**EVANS (MARLON) ON H.C.**

**S141627**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**CRAVER (ANTHONY) ON H.C.**

**S143045**

Petition for writ of habeas corpus denied.

**CHAVEZ (XAVIER) ON H.C.**

**S143164**

Petition for writ of habeas corpus denied.

**HARRISON (MARCUS L.) ON  
H.C.**



**S143715**

Petition for writ of habeas corpus denied.

**MAGEE (RUCHELL CINQUE)  
ON H.C.****S144687**

Petition for writ of habeas corpus denied.

**ROACH (WILLIAM) ON H.C.****S144880**Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734.)**MAGEE (RUCHELL CINQUE)  
ON H.C.****S144966**

Petition for writ of habeas corpus denied.

**LANG (RUSSELL) ON H.C.****S145029**

Petition for writ of habeas corpus denied.

**ROBINSON (MICHAEL) ON  
H.C.****S145550**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**CHURCHWELL (RICHARD)  
ON H.C.****S145701**

Petition for writ of habeas corpus denied.

**SALAS (CONCEPTION) ON H.C.****S145703**

Petition for writ of habeas corpus denied.

**IBANEZ (JULIO C.) ON H.C.****S145734**

Petition for writ of habeas corpus denied.

**THOMPSON (RODERICK K.)  
ON H.C.**

**S145756**

Petition for writ of habeas corpus denied.

**LITTLE (AARON XAVIER) ON  
H.C.****S145776**

Petition for writ of habeas corpus denied.

**SAPP (JUAN) ON H.C.****S145803**

Petition for writ of habeas corpus denied.

**MATUS (HAROLD DAVID) ON  
H.C.****S145811**

Petition for writ of habeas corpus denied.

**CHATFIELD (STANFORD B.)  
ON H.C.****S145821**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)**WALKER (DAVID E.) ON H.C.****S145824**

Petition for writ of habeas corpus denied.

**POK (SOPHAN) ON H.C.****S145867**Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**ROSE (STEVEN W.) ON H.C.****S145908**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**CLAYTON (CURTIS LAVELL)  
ON H.C.**

**S145912****BRYANT (CHARLES H.) ON  
H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S145934****MARTINEZ (DAVID) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S145946****SYKES (MILTON) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S145991****LAGRASSA (CHRISTOPHER)  
ON H.C.**

Petition for writ of habeas corpus denied.

**S145998****ROBBINS (SEREAN MARSHON)  
ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S146007****MUHAMMAD (EFREM Z.) ON  
H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Ledesma* (1997) 16 Cal.4th 90.)

**S146017****FITZGERALD (RAHSAAN  
TORY) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S146039****EVANS (MARLON) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

**S146070****MCDANIEL (DAVID CHARLES)  
ON H.C.**

Petition for writ of habeas corpus denied.

**S146145****JOHNS (GERRY) ON H.C.**

Petition for writ of habeas corpus denied.

**S146148****BRAND (DAMIEN) ON H.C.**

Petition for writ of habeas corpus denied.

**S146149****HENDRIX (BENNY LEE) ON  
H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S146151****BROWN (ANTOINE) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S146152****AVEY (DON) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)**S146153****BARRERA (JOSE LUIS) ON  
H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S146156****BENYAMINI (ROBERT) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S146195****SALAS (CONCEPTION) ON  
H.C.**

Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

**S148615****DORROUGH (MICHAEL REED)  
ON H.C.**

Petition for writ of habeas corpus denied.

**S149633****KIRKLAND (WAYLAND DEE)  
ON H.C.**

Petition for writ of habeas corpus denied.

**S149731****HERNANDEZ (ISAAC) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

**S149782****PURECO (GUSTAVO) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S149824****BALDACCHINO (MARK  
STEPHEN) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

**S149902****HARDNEY (JOHN) ON H.C.**

Petition for writ of habeas corpus denied.

**S149938****KING (JESSE STEPHEN) ON  
H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S149978****MARTIN (DAVID W.) ON H.C.**

Petition for writ of habeas corpus denied.

**S150083****MURRAY (BILLY DWAYNE)  
ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S149519** C051270 Third Appellate District**COLUSA, COUNTY OF v.  
CALIFORNIA WILDLIFE  
CONSERVATION BOARD**

Depublication request denied (case closed).

**S132972** C044653 Third Appellate District**VINEYARD AREA CITIZENS  
FOR RESPONSIBLE GROWTH  
v. CITY OF RANCHO  
(SUNRISE****CORDOVA  
DOUGLAS  
PROPERTY OWNERS  
ASSOCIATION)**

Time extended to consider modification or rehearing to May 2, 2007.

**S148946** B195077 Second Appellate District, Div. 3**FUGEL III (EDWIN LELAND)  
ON H.C.**

Time extended to grant or deny review to April 3, 2007.

**S149175** A115668 First Appellate District, Div. 2**DAVIS (ANTHONY) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 3, 2007.

**S149182** G037861 Fourth Appellate District, Div. 3**PROTOPAPPAS (TONY) ON  
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 3, 2007.

**S149228** C054378 Third Appellate District**ROSS (TIMOTHY) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 4, 2007.

**S149235**      B193580 Second Appellate District, Div. 1      **BELL (RICKY DONALD) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 4, 2007.

**S149284**      D049348 Fourth Appellate District, Div. 1      **REAMS (EUGENE ALVIN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 4, 2007.

**S149286**      E041941 Fourth Appellate District, Div. 2      **ZENC (JOHN W.) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 6, 2007.

**S149324**      C054152 Third Appellate District      **MCLAUGHLIN (GEORGE T.) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 6, 2007.

**S149393**      B195737 Second Appellate District, Div. 7      **ROBERTS (KENNETH A.) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2007.

**S149416**      C054397 Third Appellate District      **LEWIS (TORREY) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 11, 2007.

**S149437**      B195579 Second Appellate District, Div. 1      **CLEVELAND (CLARENCE) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to April 12, 2007.

**S149464**      D049335 Fourth Appellate District, Div. 1      **HENDERSON (JOEL) ON H.C.**  
The time for granting or denying review in the above-entitled matter is hereby extended to April 6, 2007.

**S149502**      C054420 Third Appellate District      **PORTER, SR. (JAMES LORIN)  
ON H.C.**  
The time for granting or denying review in the above-entitled matter is hereby extended to April 12, 2007.

**S035190**      **PEOPLE v. HOUSTON (ERIC  
CHRISTOPHER)**  
Extension of time granted to April 23, 2007, to file appellant's opening brief. After that date, only one further extension totaling about 23 additional days is contemplated. Extension is granted based upon counsel David H. Schwartz's representation that he anticipates filing that brief by May 16, 2007.

**S075136**      **PEOPLE v. COVARRUBIAS  
(DANIEL SANCHEZ)**  
Extension of time granted to March 6, 2007 to file appellant's opening brief. Extension is granted based upon counsel Thomas Lundy's representation that he anticipates filing that brief by March 6, 2007. After that date, no further extension is contemplated.

**S086269**      **PEOPLE v. JACKSON  
(JONATHAN K.)**  
Extension of time granted to April 17, 2007, to file appellant's opening brief. After that date, only five further extensions totaling about 315 additional days are contemplated. Extension is granted based upon counsel Gilbert Gaynor's representation that he anticipates filing that brief by February 28, 2008.

**S092356**      **BOYETTE (MAURICE) ON  
H.C.**  
Extension of time granted to April 16, 2007, to file the return to order to show cause. After that date, no further extension is contemplated. Extension is granted based upon Deputy Attorney General Christina Vom Saal's representation that she anticipates filing that document by April 14, 2007.



**S136672****DE PRIEST (TIMOTHY LEE)  
ON H.C.**

Extension of time granted. Petitioner's request for relief from default for failure to file reply to the informal response to the petition for writ of habeas corpus or timely motion for extension of time is granted. Good cause appearing, and based upon counsel Thomas Nishi's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 30, 2007, counsel's request for an extension of time in which to file that document is granted to April 2, 2007. After that date, only one further extension totaling about 60 additional days is contemplated.

**S142379****HUNTLEY (MICHAEL J.) ON  
H.C.**

Extension of time granted. On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to March 26, 2007.

**S150266****MERCED IRRIGATION  
DISTRICT v. CALIFORNIA  
PUBLIC UTILITIES  
COMMISSION (PG & E)**

Extension of time granted. On application of the Public Utilities Commission and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to April 2, 2007. Petitioners will then have until April 27, 2007, to file a reply to the answer.

**S136154** B173281 Second Appellate District, Div. 5**ANGELUCCI (MARC) v.  
CENTURY SUPPER CLUB**

Order filed. The request of counsel for appellants in the above-referenced cause to allow two counsel to argue on behalf of appellants at oral argument is hereby granted. The request of appellants to allocate to amicus curiae Consumer Attorneys of California 15 minutes of appellants' 30-minute allotted time for oral argument is granted.

**S140308** A107219/ A108346 First Appellate District, Div. 1**MURPHY (JOHN PAUL) v.  
KENNETH COLE  
PRODUCTIONS, INC.**

Order filed. The request of counsel for appellant in the above-referenced cause to allow two counsel to argue on behalf of appellant at oral argument is hereby granted. The request of appellant to allocate to amicus curiae California Employment Law Council 15 minutes of appellant's 30-minute allotted time for oral argument is granted.

**S145254****MACK (ALVIN BENSON) ON  
H.C.**

Order filed.

The order filed on February 7, 2007, denying the petition for review is amended to reflect the name above.

**S147051**

C047366 Third Appellate District

**PEOPLE v. NELSON (DENNIS  
LOUIS)**

Request for judicial notice granted. Appellant's request for judicial notice, filed January 26, 2007, is granted. Appellant is directed, within March 23, 2007, to file with this court one copy, and to serve the Attorney General with one copy, of the following transcripts in the case of *People v. Robinson*, Third District Court of Appeal No. C044703: Clerk's transcript, pages 463-531, 627-654, 673-679, 711-726, 745-760, 762-770, 775-781, 787-816, 865-893, 903-911; Reporter's transcript, pages 541-601, 701-2611, 2642-2662. Appellant shall have until March 23, 2007, in which to serve and file the opening brief on the merits.

**S150271****PATTERSON (VESTER LEE) v.  
S.C. (PEOPLE)**

Transferred to CA 2 for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S149320**

Petition denied.

(accusation)

**DECK, ACCUSATION OF****S149321**

Petition denied.

(accusation)

**DECK, ACCUSATION OF****S149322**

Petition denied.

(accusation)

**DECK, ACCUSATION OF****S149339**

Petition denied.

(accusation)

**MADDEN, ACCUSATION OF**

**S149375**

Petition denied.

(accusation)

**BAKER, ACCUSATION OF****S149403**

Petition denied.

(accusation)

**HILL SR., ACCUSATION OF****S149423**

Petition denied.

(accusation)

**HOLT, ACCUSATION OF****S149475**

Petition denied.

(accusation)

**CZERSKI, ACCUSATION OF****S149550**

Petition denied.

(accusation)

**GOOD, ACCUSATION OF****S149763**

Petition denied.

(accusation)

**FOROUGI, ACCUSATION OF****S149802**

Petition denied.

(accusation)

**ZARATZIAN, ACCUSATION  
OF****S150060**

Petition denied.

(accusation)

**DILEONARDO, ACCUSATION  
OF****S138271****STOVER ON DISCIPLINE**

Probation modified. Good cause having been shown, it is hereby ordered that the two year period of probation imposed on ROBERT HENRY STOVER, State Bar No. 202725, on December 28, 2005, be extended by one year for a total of three years. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S148941****CARTELLI ON DISCIPLINE**

Recommended discipline imposed. It is ordered that MICHAEL A. CARTELLI, State Bar No. 88932, be placed on probation for two years subject to the conditions of probation, including 90 days' actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 1, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878,891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court (which is renumbered to rule 9.20 effective January 1, 2007), and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. \* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S148950****WATKINS ON DISCIPLINE**

Recommended discipline imposed: disbarred. It is hereby ordered that MARGARET E. WATKINS, State Bar No. 175240, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 (renumbered to rule 9.20 effective January 1, 2007) of the California Rules of Court and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S148951****THOMAS ON DISCIPLINE**

Recommended discipline imposed. It is ordered that CYNTHIA A. THOMAS, State Bar No. 96180, be suspended from the practice of law for six months, that execution of suspension be stayed, and that she be placed on probation for one year on condition that she be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 16, 2006. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and one-third of said costs be paid with membership fees for the years 2008, 2009, and 2010. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision(c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S148953****JOHNSON ON DISCIPLINE**

Recommended discipline imposed. It is ordered that STEPHEN WAYNE JOHNSON, State Bar No. 97281, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 30, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* It is ordered that costs be awarded to the State Bar in accordance with Business & Professions Code section 6086.10, and one-half of said costs be paid with membership fees for the years 2007 and 2008. It is further ordered that if respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S148955****KEARNEY ON DISCIPLINE**

Recommended discipline imposed: Disbarred. It is hereby ordered that JAMES MICHAEL KEARNEY III, State Bar No. 151880 be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court (renumbered to rule 9.20 effective January 1, 2007) and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S148956****JENNINGS ON DISCIPLINE**

Recommended discipline imposed: disbarred. It is hereby ordered that MORRIS BEE JENNINGS, State Bar No. 61618, be disbarred from the practice of law and that this name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court (which is renumbered to rule 9.20 effective January 1, 2007) and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

